

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

THE CITY OF HUNTINGTON
CABELL COUNTY COMMISSION

V.

AMERISOURCE BERGEN DRUG
CORPORATION, ET AL

This document relates to:
“*TRACK 2 CASES*”

**Case No. 3:17-1362
Hon. David A. Faber**

**ORDER ESTABLISHING PROCEDURE FOR
DESIGNATION AND USE OF DEPOSITION TESTIMONY AT TRIAL**

To coordinate the procedure for the designation and use of deposition testimony for trial as ordered by the Court, this Order is entered to establish the following schedule and procedure:

Category of Deadline	Agreed-Upon Deadline
• Affirmative deposition designations due¹	7 p.m. on the Monday prior to the week of anticipated use at trial
• Objections to affirmative deposition designations due • Completeness and counter-designations due²	Completeness and counter designations, as well as any objections to affirmative designations, will be disclosed on Wednesdays at 7 p.m.
• Objections to completeness and counter-designations due • Reply designations due	Reply designations, as well as any objections to completeness and counter designations, will be disclosed on Fridays at 7 p.m.
• Meet and confer regarding objections	The parties will meet and confer regarding objections to designations on Saturdays. All

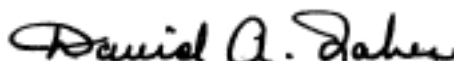
¹ The parties agree to work in good faith to identify a mutually agreeable format for the exchange of page and line citations for deposition testimony in a manner that permits their respective technical teams to efficiently cut the final videos. The parties further agree that attorney objections and commentary shall not be included in any parties' designations.

² Testimony from a different witness may not be used as a completeness or counter-designation.

	unresolved objections shall be submitted to the Court for resolution as soon as possible thereafter.
<ul style="list-style-type: none">• Offering party provides final video files and transcripts of deposition testimony (including all remaining affirmative, completeness, counter, and reply designations) to non-offering parties for their review prior to introduction at trial.	The offering party will disclose final video files and transcripts by 12 PM noon on the day prior to play.

The Clerk is directed to send a copy of this Order to counsel of record who have registered to receive an electronic NEF.

SO ORDERED



Dated: September 21, 2020

Honorable David A. Faber